

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

NICHOLAS LUPO *et al.*

v.

TRE HARGETT in his official capacity as
Tennessee Secretary of State *et al.*

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Case No. 3:24-cv-01088
Judge Crenshaw
Magistrate Judge Holmes

O R D E R

Pending before the Court is Defendant's motion to strike Plaintiffs' Second Amended Complaint (Docket No. 21), which is **DENIED AS MOOT**. The Court previously entered an order striking Plaintiffs' Second Amended Complaint because Plaintiffs failed to comply with Fed. R. Civ. P. 15(a)(2) (Docket No. 23), which renders Defendant's motion moot. To be clear, the basis of the denial is that the Court already ordered that Plaintiffs' Second Amended Complaint be stricken and Defendants' request for that relief is therefore unnecessary. The denial of Defendants' motion does not mean that Plaintiffs may proceed with their Second Amended Complaint.

The Clerk is directed to send a copy of this Order to Plaintiffs Matthew Stoneman and David Price by mail.¹

It is SO ORDERED.



BARBARA D. HOLMES
United States Magistrate Judge

¹ Plaintiff Nicholas Lupo was granted permission for electronic filing through the Court's CM/ECF filing system and will therefore receive a copy of the Order electronically through CM/ECF.